



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 5825, **Version:** 1

Subject:

Redfish Water Disposal, LLC (James Morris Smith) requests removal of an existing BDP in a PIP zoning classification. (23Z00019) (Tax Account 2311419) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Planning & Zoning Board conduct a public hearing to consider removal of an existing BDP (Binding Development Plan) in a PIP (Planned Industrial Park) zoning classification.

Summary Explanation and Background:

The applicant is requesting to remove an existing BDP in a PIP zoning classification on a 2.79-acre parcel for future development of the undeveloped property without the conditions required in the existing BDP. The current BDP contains 11 conditions to mitigate potential impacts to the existing residential properties in the surrounding area.

The existing development pattern in the vicinity is a mix of industrial and residential. The subject parcel abuts thirteen residential parcels to the east with TR-1 (Single-Family Mobile Home) zoning, and two residential parcels to the north (across Broadway Boulevard) with TR-2 (Single-Family Mobile Home) zoning. To the west of the property is IU (Light Industrial) containing outdoor storage, junk yard and building supply.

The PIP classification allows light industrial and commercial uses and is intended for locations which are served by major roads but are not feasible for light or heavy industrial developments because of proximity to residential uses. Since a proposed use has not been provided by the applicant, potential impacts to the existing neighborhood within the area could include hours of operation, noise buffering, odor, particulates, traffic, parking, commercial activity, or industrial activity.

The Board may wish to consider if the request to remove the existing BDP is consistent and compatible with the surrounding area.

The conditions in the BDP proposed for removal include:

- The Developer/Owner shall develop the property in accordance with Brevard County codes and

guidelines for commercial property which abuts residential property to include a 25-foot setback/buffer along with a fence/wall in accordance with county approval along the east residential property border.

- A concept illustration (Exhibit "B") is being provided to depict the planned structures consisting of mini self-storage buildings and a main building to use as offices, warehouses, and workshops.
- The self-storage buildings will be along the east side of the property and the main building on the west side to limit noise effect on the residential properties. Self-storage access hours of operation are envisioned as 8 AM to 8 PM and there will be provisions to prohibit operating repair shops out of the self-storage spaces.
- Lighting will be in accordance with county requirements and will be oriented to minimize effect on residential properties.
- Developer/owner will be limited to the following land uses: Professional offices; mini-warehouses and self-storage mini-warehouses; workshops/hobby shops for wood working, welding, ceramics and pottery, upholstery, leather work, art work, antiques, photography; repair and storage of golf carts, bicycles, auto, lawn and farm equipment; plant nursery; sales of goods such as ceramics, crafts, furniture, golf carts, lawn and farm equipment, plants, building material.
- Additional activities permitted inside the main building to include electrical appliance and lighting fixture repair, sharpening and grinding, welding, fabrication, sales, storage, ceramic productions and firing, office activities, repair and fabrication.
- Activities outside shall be limited to include, parking, automobile washing, picnic and playground, and plant nursery.
- Developer/Owner shall insure that no trucks more than six wheels will be parked or stored on the property.
- Developer/Owner shall insure that no sludge, used drain field material, or any other un-authorized material is dumped on this site.
- Gopher tortoises on the property shall be protected, and an area reserved for them.
- Development shall minimize the removal of trees to only what is necessary and replant in accordance with county approval.

The Board of County Commissioners will consider the request on **Thursday, July 13, 2023**, beginning at **5:00 p.m.** The meeting will be held at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Commission Room, Viera, Florida.

Clerk to the Board Instructions: